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## REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of : Buncke, Harry J.                      Confirmation No.: **7589**  
Docket No. : 013341.000003b  
Reissue No. : **09/919,750**  
Art Unit : 3731  
Reissue Filed : July 31, 2001  
Examiner : Jackson, Gary  
Reissue of : U.S. Patent No. 5,931,855 (U.S. Serial No. 08/859,887)  
Title : SURGICAL METHODS USING ONE-WAY SUTURE

MAIL STOP -- REISSUE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This is responsive to the October 6, 2004 Communication having a 1-month term for responding that will expire on November 6, 2004. As that is a Saturday, the actual due date is Monday, **November 8, 2004**.

The Communication indicated that the amended claims set out in the September 14, 2004 Amendment were not in compliance as per the format for amended claims as set out in 37 CFR 1.121.

Applicant respectfully points out that the present application is a **Reissue**, and thus, the amended claims are indeed in compliance as set out in 37 CFR 1.173(b)(2) & 37 CFR 1.173 (d),

which are the rules for amendments in Reissues. Hence, the claims set out in the September 14, 2004 Amendment are in the proper format.

### **CONCLUSIONS**

By the above remarks, Applicant respectfully requests that the Notice of Non-Compliant Amendment be withdrawn, and the case forwarded to Examiner Jackson.

Applicant further submits that the present application is now in proper condition for allowance and respectfully solicits official notification of allowance from the Examiner.

If a minor issue remains outstanding after Examiner Jackson has studied the September 14, 2004 Amendment, then Examiner Jackson is respectfully requested to telephone the undersigned attorney so that any such matter may be resolved and the application be placed in condition for allowance without the necessity for an Official Action.

### **DEPOSIT ACCOUNT**

Although it is believed that no fee is due, the Commissioner is authorized to charge any deficiencies of payment associated with this Communication, or to credit any overpayment, to **Deposit Account No. 13-4365.**

Respectfully submitted,

Moore & Van Allen PLLC

Date: November 3, 2004

By: 

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In re Reissue Application of: Buncke, Harry J.  
Reissue Application No.: 09/919,750  
Filed: July 31, 2001  
For: Surgical Methods Using One-Way Suture

Docket No.: 013341.000003  
Art Unit: 3731  
Examiner: Jackson, Gary

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient Postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office, at 703-308-6916.

Signature: Katrina T. Holland

Katrina T. Holland  
(Name of person certifying)

Date: November 3, 2004